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**FACSIMILE TRANSMITTAL SHEET AND  
CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8****RECEIVED  
CENTRAL FAX CENTER****SEP 09 2004****TO: Office of Petitions - United States Patent and Trademark Office**

Fax No. 703-872-9306 Phone No.

*I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on September 9, 2004, to the above-identified facsimile number.*

  
(Signature)**FROM: Brent M. Peebles, Esq.**

Fax No. 513-627-8118 Phone No. 513-627-6773

Listed below are the item(s) being submitted with  
this Certificate of Transmission:\*\*

Number of Pages Including this Page: 9

- 1) Petition to Revive Unintentionally Abandoned Application (In dup.)
- 2) Fee Transmittal Sheet (In dup.)
- 3) Issue Fee Transmittal
- 4) Fee Address Indication Form

Inventor(s): K. H. Baker

S.N.: 09/785,876

Filed: February 16, 2001

Case: 8427

Comments:**OFFICIAL PAPERS**

\*\*Note: Each paper must have its own certificate of transmission, OR this certificate must identify each submitted paper.

SEP-09-2004 09:18

F&amp;HC PATENT DIVISION

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5136278118 P.02/09

SEP 09 2004

PTO/SB/64 (11-03)

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)  
8427

First Named Inventor: K. H. Baker

Application No.: 09/785,876

Art Unit: 1751

Filed: February 16, 2001

Examiner: E. B. Elhilo

Title: COMPOSITIONS FOR PRE-TREATING SHOES AND METHODS AND ARTICLES EMPLOYING SAME

Attention: Office of Petitions  
 Mail Stop Petition  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee  
 Large entity - fee \$1,330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office Action in the form of \_\_\_\_\_ (identify type of reply):  
 has been filed previously on \_\_\_\_\_  
 is enclosed herewith.

B. The issue fee of \$ 1,330.00  
 has been paid previously on \_\_\_\_\_  
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$\_\_ for a large entity disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and(D))].

5.  Authorization is given to charge Deposit Account No. 16-2480 for any fees required in connection with submission of this petition. A duplicate copy of this correspondence is enclosed to facilitate charging of the fees

September 9, 2004

Date

Signature

Telephone

Number: (513) 627-6773

Brent M. Peebles

Typed or printed name

CUSTOMER NO.: 27752

Enclosures:  Fee Payment  
 Reply  
 Terminal Disclaimer Form  
 Additional sheets containing statements establishing unintentional delay  
 Issue Fee

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CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

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Typed or printed name

[Page 2 of 2]

(Revised for P&amp;G use 01/23/2004)

SEP-09-2004 09:19

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5136278118 P.04/09

SEP 09 2004

PTO/SB/64 (11-03)

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Brent M. Peebles

Typed or printed name

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[Page 2 of 2]

(Revised for P&amp;G use 01/23/2004)

**FEE TRANSMITTAL**  
**for FY 2004**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT (\$)** 2,960.00**Complete If Known**

Application Number	09/785,876
Confirmation Number	9097
Filing Date	February 16, 2001
First Named Inventor	K. H. Baker
Examiner Name	E. B. Elhilo
Art Unit	1751

Attorney Docket No. 8427

**METHOD OF PAYMENT**

1. [X] The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:

Deposit Account Number: 16-2480

Deposit Account Name: The Procter &amp; Gamble Company

**FEE CALCULATION (continued)****FEE CALCULATION****1. BASIC FILING FEE – Large Entity**

Code (\$)	<u>Fee Description</u>	<u>Fee Paid</u>
1001 770	Utility filing fee	<input type="checkbox"/>
1002 340	Design filing fee	<input type="checkbox"/>
1004 770	Reissue filing fee	<input type="checkbox"/>
1005 160	Provisional filing fee	<input type="checkbox"/>

**SUBTOTAL (1) (\$)** 101**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE – Large Entity**

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** =	<input type="checkbox"/> x	<input type="checkbox"/> = <input type="checkbox"/>
Independent Claims	<input type="checkbox"/> - 3** -	<input type="checkbox"/> x	<input type="checkbox"/> = <input type="checkbox"/>
Multiple Dependent			<input type="checkbox"/> = <input type="checkbox"/>

\*\* or number previously paid, if greater; For Reissues, see below

Code (\$)	<u>Fee Description</u>
1202 18	Claims in excess of 20
1201 86	Independent claims in excess of 3
1203 290	Multiple dependent claim, if not paid
1204 86	**Reissue independent claims over original patent
1205 18	**Reissue claims in excess of 20 & over original patent

**SUBTOTAL (2) (\$)** 01**3. ADDITIONAL FEES**

Code (\$)	<u>Fee Description</u>	<u>Fee Paid</u>
1051 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
1052 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
1053 130	Non-English specification	<input type="checkbox"/>
1812 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
1804 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
1805 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
1251 110	Extension for reply within 1 <sup>st</sup> month	<input type="checkbox"/>
1252 420	Extension for reply within 2 <sup>nd</sup> month	<input type="checkbox"/>
1253 950	Extension for reply within 3 <sup>rd</sup> month	<input type="checkbox"/>
1254 1,480	Extension for reply within 4 <sup>th</sup> month	<input type="checkbox"/>
1255 2,010	Extension for reply within 5 <sup>th</sup> month	<input type="checkbox"/>
1401 330	Notice of Appeal	<input type="checkbox"/>
1402 330	Filing a brief in support of an appeal	<input type="checkbox"/>
1403 290	Request for oral hearing	<input type="checkbox"/>
1451 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
1452 110	Petition to revive - unavoidable	<input type="checkbox"/>
1453 1,330	Petition to revive - unintentional	[1,330]
1501 1,330	Utility issue fee (or reissue)	[1,330]
1502 480	Design issue fee	<input type="checkbox"/>
1460 130	Petitions to the Commissioner	<input type="checkbox"/>
1807 50	Processing fee under 37 C.F.R. 1.17(q)	<input type="checkbox"/>
1806 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
1809 770	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
1810 770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
1801 770	Request for Continued Examination (RCE)	<input type="checkbox"/>
1802 900	Request for expedited examination of a design application	<input type="checkbox"/>
1454 1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) <u>Publication Fee</u>		[300]
Other fee (specify) _____		<input type="checkbox"/>

\* Reduced by Basic Filing Fee Paid

**SUBTOTAL(3) (\$)** 2,960**SUBMITTED BY**

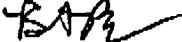
Name (Print/Type)	Brent M. Peebles	Registration No. (Attorney/Agent)	38,576	Complete (if applicable)
Signature			Date	September 9, 2004

+ This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Fccrn-Joe (Revised for P&amp;G use 9/22/2003)

<b>FEE TRANSMITTAL for FY 2004</b> <small>Patent fees are subject to annual revision.</small>		<b>Complete If Known</b>	
		Application Number	09/785,876
		Confirmation Number	9097
		Filing Date	February 16, 2001
		First Named Inventor	K. H. Baker
		Examiner Name	E. B. Ejhilo
		Att Unit	1751
<b>TOTAL AMOUNT OF PAYMENT (\$)</b> 2,960.00		Attorney Docket No.	8427

<b>METHOD OF PAYMENT</b>			<b>FEES CALCULATION (continued)</b>																																																																																																		
<p>1. <input checked="" type="checkbox"/> The Director is hereby authorized to charge indicated fees submitted on this form, credit any over payments, and charge any additional fee(s) during the pendency of this application to:</p> <p>Deposit Account Number: 16-2480 Deposit Account Name: The Procter &amp; Gamble Company</p>			<p>3. ADDITIONAL FEES</p> <table> <thead> <tr> <th>Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051 130</td><td>Surcharge-late filing fee or oath</td><td><input type="checkbox"/></td></tr> <tr><td>1052 50</td><td>Surcharge-late provisional filing fee or cover sheet</td><td><input type="checkbox"/></td></tr> <tr><td>1053 130</td><td>Non-English specification</td><td><input type="checkbox"/></td></tr> <tr><td>1812 2,520</td><td>For filing a request for ex parte reexamination</td><td><input type="checkbox"/></td></tr> <tr><td>1804 920*</td><td>Requesting publication of SIR prior to Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1805 1,340*</td><td>Requesting publication of SIR after Examiner's action</td><td><input type="checkbox"/></td></tr> <tr><td>1251 110</td><td>Extension for reply within 1<sup>st</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1252 420</td><td>Extension for reply within 2<sup>nd</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1253 950</td><td>Extension for reply within 3<sup>rd</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1254 1,480</td><td>Extension for reply within 4<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1255 2,010</td><td>Extension for reply within 5<sup>th</sup> month</td><td><input type="checkbox"/></td></tr> <tr><td>1401 330</td><td>Notice of Appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1402 330</td><td>Filing a brief in support of an appeal</td><td><input type="checkbox"/></td></tr> <tr><td>1403 290</td><td>Request for oral hearing</td><td><input type="checkbox"/></td></tr> <tr><td>1451 1,510</td><td>Petition to institute a public use proceeding</td><td><input type="checkbox"/></td></tr> <tr><td>1452 110</td><td>Petition to revive - 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1810 770	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>																																																																																																			
1801 770	Request for Continued Examination (RCE)	<input type="checkbox"/>																																																																																																			
1802 900	Request for expedited examination of a design application	<input type="checkbox"/>																																																																																																			
1454 1330	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>																																																																																																			
Other fee (specify) <u>Publication Fee</u>			[300]																																																																																																		
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<b>SUBTOTAL (2)</b> (\$)		<b>Reduced by Basic Filing Fee Paid</b>	<b>SUBTOTAL (3)</b> (\$)	2,960																																																																																																	

<b>SUBMITTED BY</b>		<b>Complete (if applicable)</b>		
Name (Print/Type)	Brent M. Peebles	Registration No. (Attorney/Agent)	38,576	Telephone (513) 627-6773
Signature		Date	September 9, 2004	

+ This collection of information is required by 37 CFR 1.7. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. The collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon individual case. Any comments on the amount of time you are required to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

FeeTrans.doc (Revised for P&G use 9/22/2003)

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Stop ISSUE FEE  
 Commissioner for Patents  
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INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

27752 7590 06/04/2004

THE PROCTER & GAMBLE COMPANY  
 INTELLECTUAL PROPERTY DIVISION  
 WINTON HILL TECHNICAL CENTER - BOX 161  
 6110 CENTER HILL AVENUE  
 CINCINNATI, OH 45224

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

**Certificate of Mailing or Transmission**  
 I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Brent M. Peebles	(Depositor's name)
<i>BMP</i>	(Signature)
September 9, 2004	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,876	02/16/2001	Keith Homer Baker	8427	9097

TITLE OF INVENTION: COMPOSITIONS FOR PRE-TREATING SHOES AND METHODS AND ARTICLES EMPLOYING SAME

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$300	\$1630	09/07/2004
EXAMINER	ART UNIT		CLASS-SUBCLASS		
ELHILIO, EISA B	1751		510-109000		

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

"Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Jeffrey V. Bamber

2 Kim William Zerby

3 Steven W. Miller

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

The Procter & Gamble Company

Cincinnati, Ohio

Please check the appropriate assignee category or categories (will not be printed on the patent):  individual  corporation or other private group entity  government

4a. The following fee(s) are enclosed:

Issue Fee

4b. Payment of Fee(s):

A check in the amount of the fee(s) is enclosed.

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(Authorized Signature) <i>BMP</i>	(Date) 09/09/04
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Case 8427

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PATENT NUMBER (if known)	APPLICATION NUMBER
	09/785,876

## (Check One)

<input type="checkbox"/> Assignee of record of the entire interest, The Procter & Gamble Company  The undersigned is authorized to act on behalf of the assignee.  Assignment recorded _ Reel _ Frame _	<input checked="" type="checkbox"/> Attorney or agent of record
---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------

Signature

Name - Brent M. PeeblesTitle - Senior CounselRegistration No. - 38,576

September 9, 2004

Date

Telephone No. (513) 627-6773

Customer Number -27752

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(Revised for P&amp;G use 8/29/2003)

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